

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

JAMES MANNING III ET AL

CASE NO. 2:22-CV-05147

VERSUS

JUDGE JAMES D. CAIN, JR.

**USAA CASUALTY INSURANCE
COMPANY**

MAGISTRATE JUDGE KAY


ORDER

Before the Court is a Motion to Remand [doc. 12] filed by the Plaintiffs, James Manning, III and Suzanne Reid. The motion is opposed by the Defendant, USAA Casualty Insurance Company. Doc. 19. Upon review, the Court has determined that Plaintiffs have raised a reasonable question regarding this Court's subject matter jurisdiction. However, additional information is required to properly address the motion.

Accordingly, Plaintiffs are **ORDERED** to supplement their Motion to Remand with additional evidence to support their claim that Texas is their domicile rather than Louisiana, as originally alleged in their complaint. The additional evidence should demonstrate that Plaintiffs lived in Texas with the intent to remain indefinitely at the time their original complaint was filed. *See Coury v. Prot*, 85 F.3d 244, 250 (5th Cir. 1996). Suitable evidence may include authenticated copies of voter registration cards, Texas homestead exemption documents, bank statements, employment documents, membership information from clubs or churches, or any other evidence indicating that Plaintiffs maintain a home in Texas for themselves and their families. *Id.* at 251.

Plaintiffs' supplemental filing is due within fourteen days. Defendant may file a response within seven days thereafter.

THUS DONE AND SIGNED, in Chambers this 7th day of November, 2023.



JAMES D. CAIN, JR.
UNITED STATES DISTRICT JUDGE